G. R. S. IX-5]

Previous references.

1895
~~191~~ .
(S+A)

File No. 17

Serial Nos. 1-5

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

In ~~Part~~ B for March 96

SUBJECT.

Allowance to Mr. S. Ramaswamy Iyer for performing the duties of the Govt. Advocate.

W D 88—GPB—50,000—24-7-16

Memo.

1. The Service Regulations are applicable to all service under Govt whether pensionable or non-pensionable

2. That an Office is not pensionable is no reason why the provisions of the Service Regulations other than those relating to Pensions are not applicable.

3. The Office of Govt advocate is a permanent appointment and is classed with that of Dr Commrs in the matter of daily & Travelling allowances

4. There is nothing to show that the provisions of Chapter V (relating to acting allowances) are not applicable to a Govt Advocate in that they apply only to pensionable appointments

5. Every person taking service under Govt must be presumed to be governed by the Service Regulations in the absence of a specific agreement with Govt and the express exclusion of the Govt Advocate from the benefits of the Chapter relating to Pen-

Lord and his wife herein in the schedule of daily travelling allowance than that provisions of the other chapter are applicable to him.

6. With the present difficulty I mention to think the Government has made an exactly just one there my Lawyer and he is entitled to a charge allowance under 107 or an ordinary allowance under Sec 87 if Govt. are pleased having regard to the nature of the work to cancel 102 & as officiating in the Govt advocate's appointment.

7. We shall however continue to pay his pay under the existing arrangement.

Sd/ D.P. 2/1/96

Sd/ D.P. Comacho.

This matter will therefore be discussed in Executive Council & there orders are thereupon forwarded to the Hon'ble Salem Sahib

23.1.96

Agree to the proposal made by the Senior Councillor, to grant an allowance of Rs 100 a month, as a special case, to the temporary arrangement

day — so long as the temporary arrangement lasts. The question of appointing a Govt Adv permanently has to be considered separately

D.P. Thomas
2-1-96

To Dessai

C. [illegible]

(9)

Note.

In this Office No. 6995/778 of 16.12.95 the Comptroller was requested to state what allowance Mr. Ramaswamy Iyer, Asst. Govt. Agent was entitled to for doing the duties of Govt. Agent in addition to his duties.

The Comptroller in his No. 3507 of 23.12.95 stated that there was no rule regulating the allowances for doing the duties of Govt. Agent.

The above letter of the Comptroller was submitted to the 1st Councillor on 2.1.96.

Ever since the papers were not received in the Branch.

It is submitted that the papers may have been submitted to the Dewan Bahadur by the Junior Secretary.

Sd.

Mr Ramanathan Esqr
Acting Asst Collr
Mr Pedro are —
Dr. Kachi. C

7-3-96

The original* papers were
submitted to our Thumboo
Chettiar. They were not
returned.

JP.
Asstt. 9/3/96

Asstt Govt Agent
C
10/3/96

* The Despatch Clerk
may please note
from that they
were not' to Dewan
in a cover with
my letter on 3-1-96
and the despatch
book shows the
cover was acknowledged
by Ramanathan Esqr.
Returned to the Asst Dewan
GPJ

Dewan's order "I agree with Mr Thumboo
Chettiar"
20/3/96. JP.

In my opinion
Mr Ramanathan Esqr
is not to be charged
allowance of Rs 100 per
the time he performed the duties of
Asst Govt Agent
20/3/96
GPJ

Asstt Govt Agent
20/3/96

5 (2)

(General Serial No. 30.)

189

OFFICE OF THE
A 5-12
6 - DEC 1895
689
LEGAL ADVISER MYSORE

From The Assistant Govt Advocate in Mysore

To The ~~Chief~~ Secretary to the ~~Govt~~ Government of Mysore.

Dated 6th December 1895.

Despatched

Received 6/12/95

Enclosures No. 2

General No. 71
No.

Requesting that his pay may be fixed for performing the duties of the Govt Advocate.

The papers connected with this are in the General Branch
J 7-12-95.

Rec'd 6/12 The letter quoted within has been put up with Genl No. 1416 & 17/8/95 mis 401 (re Gradation List).

9/12 Gazette notn. Subd. Under the Code a charge allowance of 10 p. cent. is admissible. Having regard to the nature of the duties of Govt Advocate, he may as

Judicial

A Special case be given drawing allowance under the Code.

JP.
11/12/95.

Subn to Committee

What is the allowance which he is entitled?

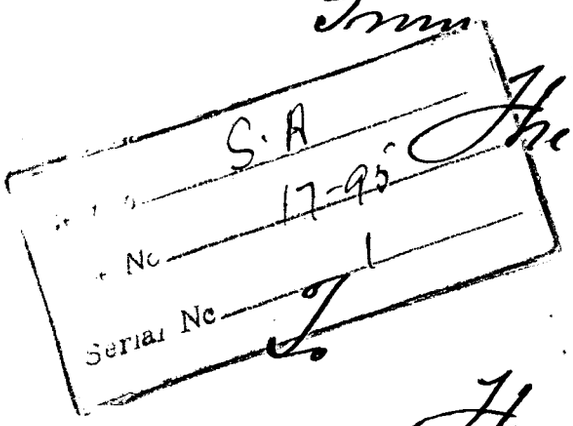
Refer to Comb. Code para 9 annexure —

10/12/95

No 71
Encl 2

(2)

From



The Assistant Govt Advocate
in Mysore

To

The General Secretary to the
Government of Mysore

Sir,

I have the honor to state that
I have been performing the duties
of the Government Advocate since
19th February vide Proceedings
of Government No 13312, dated 25th Feby 1895
J 3048
and to request that my pay may
be fixed into effect from the said
date.

I beg to enclose herein 2

Copies of Statements of Cases conduct
:ed by me during the years 1892,
1893 & 1894.

I have the honor to be
Sir
Your most obedient Servant

S Ramachandrayya
Assistant Govt Advocate

Statement of Cases in which the Assistant Government Advocate appeared on behalf of Government.

	Criminal Cases.													
	Number of appeals against the convictions of the Sessions Judges as per Statement A.	Amount of fees at Rs. 32 per case.	Criminal appeals preferred on behalf of Government as per Statement B.				Other appeals, revision petitions, as per Statements C, D, E, F, and G.							Total amount of fees for columns 3, 5, 7, and 14.
			Against the orders of Sessions Judges.		Against the orders of Magistrates.		Number of appeals against convictions by Magistrates as per Statement C.	Number of petitions for transfer of criminal cases as per Statement D.	Number of revision cases as per Statement E.	Number of revision petitions as per Statement F.	Number of other petitions as per Statement G.	Total number of cases as per Statements C, D, E, F, G.	Total amount at Rs. 16.	
			Number of appeals.	Amount of fees at Rs. 32.	Number of appeals.	Amount of fees at Rs. 16.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		Rs.		Rs.		Rs.							Rs.	Rs.
1892	62	1,984	2	64	...	...	84	11	29	17	6	147	2,352	4,400
1893	59	1,888	4	128	...	...	87	19	21	22	3	152	2,432	4,448
1894	64	2,048	8	256	4	64	104	4	42	33	7	190	3,040	5,408
	185	5,920	14	448	4	64	275	34	92	72	16	489	7,824	14,256

Year.	Civil and other cases.						Total.					Remarks.
	Number of civil cases conducted on behalf of Government as per Statement H.	Amount of fees claimed as per scale under Court Fees.	Number of cases and number of appearances on behalf of Government in special cases as per Statement K.	Amount of fees at Rs. 16.	Number of references in matters referred for opinion as per Statement L.	Amount of fees at Rs. 16 per reference or opinion.	Criminal		Civil and other cases.		Grand total of the amount.	
							Total number of cases as per columns 2, 4, 6 and 13.	Total amount as per columns 3, 5, 7, 14.	Total number of cases as per columns 16, 18, 20.	Total amount of fees as per columns 17, 19, 21.		
	16	17	18	19	20	21	22	23	24	25	26	27
		Rs	Cases. Appearances. Rs.	Rs.		Rs.		Rs.		Rs.	Rs.	
1892 ...	2	116	1 3	96	33	528	211	4,400	36	740	5,140	*Vide* Proceedings of Govt., Camp No. 1127-30, dated 22nd Jan. 1892, sanctioning the bill of the Public Prosecutor of the Nandidroog division for Rs. 2,604 on account of his appearance in the Chief Court in appeals & in Revision cases. For cases in column A, Rs. 50 for each case were charged and sanctioned as per proceedings of the Chief Commissioner No. 1369-16 J, dated Camp Mysore, 22nd May 1878; and for cases shown in column B, Rs. 50 were charged and sanctioned as above for appeals against the order of acquittal by Sessions Judges, and for other appeals shown in column B; as also for appeals in column C and petitions in D, Rs. 32 were charged as per proceedings of the Commissioner No. 9717-182, dated 4th February 1879. But in this statement Rs. 32 for appeals in sessions cases instead of Rs. 50, and Rs. 16 for other cases instead of Rs. 32, have been charged. In civil cases court fees are inserted in the statement of civil cases. In special cases Rs. 32 are charged for each day's appearance as per proceedings of the Chief Commissioner, No. 9717-182, dated 4th February 1879.
1893 ...	4	178	2 2	64	25	400	215	4,448	31	637	5,085	
1894 ...	1	27	2 12	384	25	400	266	5,408	28	811	6,219	
	7	316	5 17	544	83	1,328	692	14,256	95	2,188	16,444	

S. RAMASWAMI IYER,
Asst. Govt. Advocate.

Statement of Cases in which the Assistant Government Advocate appeared on behalf of Government.

Year.	Criminal Cases.													
	Number of appeals against the convictions of the Sessions Judges as per Statement A.	Amount of fees at Rs. 32 per case.	Criminal appeals preferred on behalf of Government as per Statement B.				Other appeals, revision petitions, as per Statements C, D, E, F, and G.							Total amount of fees for columns 3, 5, 7, and 14.
			Against the orders of Sessions Judges.		Against the orders of Magistrates.		Number of appeals against convictions by Magistrates as per Statement C.	Number of petitions for transfer of criminal cases as per Statement D.	Number of revision cases as per Statement E.	Number of revision petitions as per Statement F.	Number of other petitions as per Statement G.	Total number of cases as per Statements C, D, E, F, G.	Total amount at Rs. 16.	
			Number of appeals.	Amount of fees at Rs. 32.	Number of appeals.	Amount of fees at Rs. 16.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		Rs.		Rs.		Rs.							Rs.	Rs.
1892	62	1,984	2	64	...	...	84	11	29	17	6	147	2,352	4,400
1893	59	1,888	4	128	...	...	87	19	21	22	3	152	2,432	4,448
1894	64	2,048	8	256	4	64	104	4	42	33	7	190	3,040	5,408
	185	5,920	14	448	4	64	275	34	92	72	16	489	7,824	14,256

Year.	Civil and other cases:						Total.					Remarks:
	Number of civil cases conducted on behalf of Government as per Statement H.	Amount of fees claimed as per scale under Court Fees.	Number of cases and number of appearances on behalf of Government in special cases as per Statement K.	Amount of fees at Rs. 16.	Number of references in matters referred for opinion as per Statement L.	Amount of fees at Rs. 16 per reference or opinion.	Criminal		Civil and other cases.		Grand total of the amount.	
							Total number of cases as per columns 2, 4, 6 and 13.	Total amount as per columns 3, 5, 7, 14.	Total number of cases as per columns 16, 18, 20.	Total amount of fees as per columns 17, 19, 21.		
	16	17	18	19	20	21	22	23	24	25	26	27
		Rs.	Cases. Appearances. Rs.	Rs.		Rs.		Rs.		Rs.	Rs.	
1892 ...	2	116	1 3	96	63	528	211	4,400	36	740	5,140	*Vide* Proceedings of Govt., Camp No. 1127-30, dated 22nd Jan. 1892, sanctioning the bill of the Public Prosecutor of the Nandidroog division for Rs. 2,604 on account of his appearance in the Chief Court in appeals & in Revision cases. For cases in column A, Rs. 50 for each case were charged and sanctioned as per proceedings of the Chief Commissioner No. 1369-16 J, dated Camp Mysore, 22nd May 1878; and for cases shown in column B, Rs. 50 were charged and sanctioned as above for appeals against the order of acquittal by Sessions Judges, and for other appeals shown in column B; as also for appeals in column C and petitions in D, Rs. 32 were charged as per proceedings of the Commissioner No. 9717-182, dated 4th February 1879. But in this statement Rs. 32 for appeals in sessions cases instead of Rs. 50, and Rs. 16 for other cases instead of Rs. 32, have been charged. In civil cases court fees are inserted in the statement of civil cases. In special cases Rs. 32 are charged for each day's appearance as per proceedings of the Chief Commissioner, No. 9717-182, dated 4th February 1879.
1893 ...	4	173	2 2	64	25	400	215	4,448	31	637	5,085	
1894 ...	1	27	2 12	384	25	400	266	5,408	28	811	6,219	
	7	316	5 17	544	83	1,328	692	14,256	95	2,188	16,444	

S. RAMASWAMI IYER,
Asst. Govt. Advocate.

11

Extract

Notification

No 13311 dated ~~2nd March~~ 25th Febry 1895.
G 3047.

Mr S. Ramaswami Iyer, Assistant Government Advocate, to do the duties of Government Advocate in addition to his own duties.

X X X X

copd

12 (3)

Offl memo No. 6995 Dt 1778

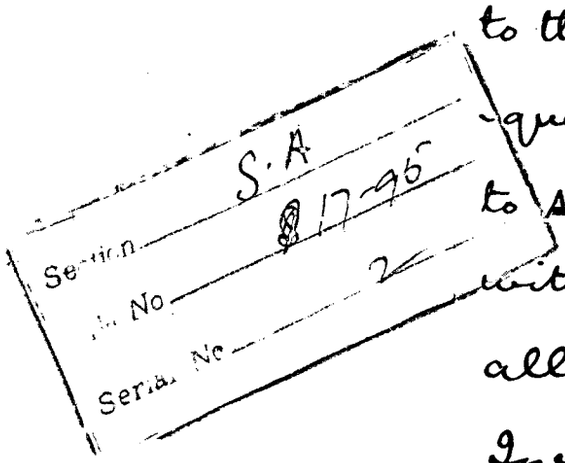
16-12-95

The Comptroller to the Govt of Mysore is requested to be good enough to ~~state~~ favor the Govt with his opinion as to what allowance Mr S. Ramaswamy Iyer, Asstt Govt Advocate, is entitled for performing the duties of the Government Advocate under the terms of the Notf. dt 25/2/95 No 13311 9.3047

By Order.

15/12/95 for Cl Secy.

kgr
15/12



Gen. 30.] 17

OFFICE OF THE
1895
5113
DEWAN OF MYSORE.

(4.)

From

The Comptroller, Mysore Govt.

To

S. A. — 47-95 — 3

The ~~Chief~~ Secretary to the Govt.
~~Dewan~~ of Mysore.

Dated 22 December

Despatched 23

Received 26/12/95

L. F. No. 3507

SUBJECT MATTER.

States that there is no rule regulating allowances to Mr. S. Ramaswamy Iyer Asst. Government Advocate for performing the duties of Government Advocate

26/12/95

Submitted with reference vide 26-12-95.

14

No. 3507

COMPTROLLER'S OFFICE
23 DEC. 95
MYSORE

OFFICE OF THE COMPTROLLER, MYSORE, GOVT.

Bangalore, 23rd December 1895

E. R. SUBROYER, Esq.,
Comptroller to Mysore Govt.

To General Government
The ~~Chief~~ Secretary to the ~~Durbar~~ of Mysore.

SIR,

With reference to your official memorandum No. 6995/778 dated 16th Decm 1895 in re. the allowances payable to Mr. S. Ramaswamy Jr assistant Government advocate for performing the duties of Government advocate I have the honor to state that under article 230 (c) of the Mysore Service Regulations the appointment of Government advocate is not pensionable and that there is no rule in the Regulations regulating allowances to officers acting in

that

that appointment

When Mr. Meenaghan was originally appointed as Government Advocate his pay was fixed as Rs 500/- vide Government order No 5540/348 dated 14th October 1881, and the same pay was allowed to Late Mr. Sidney Smith when he was appointed to act for the former during his absence on other duty vide No 5731/407 dated 20th August 1890

I have the honor to be
Sir
Your most Obedient Servt

H Cayley
for Secretary to
Government

H.C.R.
23/8

Mrs

3043 Ub J 1138 480

(General Serial No. 30.)

189

6876

From The Government of Mysore in Mysore

S.A 17-95 4

To

The ~~Chief~~ Secretary to the ~~Dewan~~ Government of Mysore.

General Department

Dated 19th February 1896.

Despatched

Received

Enclosures No.

General No. 122.

No.

Regarding to order payment of the difference Rs: 150/- per mensem between his present and former pay from the 25th February last upto 3rd Dec

19/2

Refer for ref
20/2 Recd
4/3/96.

Government Advocate's Office
19th February 1896.

No. 122

From

The Government Advocate
in Mysore

To

The Secretary to the
Government of Mysore
General Department

Sir,

With reference to Government Proceedings No. 13312, dated 25th February 1895 R. 3048 I have the honor to state that I have been doing the duties of the Government Advocate from the said date viz 25th February upto the 3rd Instant.

Unde

Under Proceedings of Govern.t
No. 9121, dated 6th Instant I
have been appointed as Government
Advocate from the 3rd Idem. I
request that the Government
will be pleased to order payment
of the difference Rupees 150/ per
Mensem between my present
and former pay from the 25th
February last. upto 3rd Idem

I have the honor to be
Sir,
Your most obedient Servant.

S Ramanathan
Government Advocate

Read:— Letter no 18 (1) dt 6th Dec 95, from Mr S. Ramaswamy Iyer, Apt Govt Advocate in Mysore

(2) Letter no 3507 dt 23rd Dec 95, from the Comptroller to the Govt of Mysore

(3) Letter no 122 dt 19th February 96, from Mr S. Ramaswamy Iyer, Govt Advocate in Mysore

Section A
No 17-95
Serial No 5

Order thereon. 1088-7 dt 21/3/96

The Govt are pleased to sanction a charge allowance of Rs 100/- per mensem to Mr Ramaswamy Iyer for the period he performed the duties of

of the Govt. Advocate in addition to his own duties as Assistant Govt. Advocate under Govt. Notfn No 1331/P.3047 of 25th February 1895.

Secy

Secy to Govt. Genl. 20/3/96

To
The Govt. Advocate in Impane

The Comptroller

Secy Govt. Genl. 20/3

21/3/96